

16.11.2022.
21.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3985 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P.S. Case No.553 of 2021 dated 20.12.2021 under Sections 302/34 of the Indian Penal Code.

In the matter of : Baker Ali Sk.

... Petitioner.

Mr. Ayan Basu,
Mr. Raju Mondal,
Mr. Subham Bhakat,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,
Ms. Jonaki Saha.

...for the State.

Petitioner prays for bail. He submits he stands on the same footing with Nayeb Sekh who has been enlarged on bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses recorded under Section 161 of the Code of Criminal Procedure viz., Mantu Gayen and Mato Sk. implicates the petitioner. They had not mentioned Nayeb Sekh in their statements. Hence, petitioner does not stand on the same footing with co-accused, Nayeb Sk. who has been enlarged on bail.

Hence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

